

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9085 of 2019

Arising Out of PS. Case No.-381 Year-2018 Thana- NAUTAN District- West Champaran

SIKANDAR MIYA @ SIKANDAR ANSARI, Son of- Gaffar Miya, Resident
of village-Shivrajpur Damka Tola, P.S. Nautan, District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Nautan Police Station Case No. 381 of 2018, disclosing offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

There being bar under Section 76 (2) of the Act, this anticipatory bail application cannot be maintained and is, accordingly, dismissed.

It is, however, submitted on behalf of the petitioner that evidently, the petitioner has been implicated on the basis of certain disclosure made by the local people that the hutment, from where the recovery has been made, belongs to the



petitioner. Names of such persons who disclosed petitioner's name has not been mentioned in the First Information Report.

Keeping in mind the above submission, it is directed that if the petitioner, Sikandar Miya @ Sikandar Ansari, surrenders before the Court below within four weeks from today and applies for regular bail, his application shall be considered and decided on the same day without being prejudiced by the present order of dismissal.

(Chakradhari Sharan Singh, J.)

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